

FW


PATENT
Attorney Docket No. AXO-003CI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Muir CONFIRMATION NO.: 4996
SERIAL NO.: 10/812,776 GROUP NO.: 3731
FILING DATE: March 29, 2004 EXAMINER: Not yet assigned
TITLE: Materials and Methods for Nerve Grafting, Selection of Nerve Grafts,
and In Vitro Nerve Tissue Culture

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30th day of July, 2004.


Anoosh Bahiraei

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Supplemental Information Disclosure Statement (2 pgs.);
3. Form PTO-1449 (1 pg.);
4. Copies of IDS Citations (B1, C1-C2);
5. Copy of Power of Attorney by Assignee of Entire Interest/Revocation of Prior Powers and New Power of Attorney (1 pg.); and
6. Return Receipt Postcard.

3100609

AUG 02 2004

AUG 02 2004

TRANSMITTAL FORM

Application Serial Number	10/812,776
Filing Date	March 29, 2004
First Named Inventor	Muir
Group Art Unit	3731
Examiner Name	Not yet assigned
Attorney Docket No.	AXO-003C1
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> Information Disclosure Statement (2 pgs.) <input checked="" type="checkbox"/> Form PTO-1449 (1 pg.) <input checked="" type="checkbox"/> Copies of IDS Citations (B1, C1-C2) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input checked="" type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
---	--	---

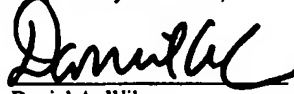
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Date: July 30, 2004
 Reg. No.: 45,508
 Tel. No.: (617) 248-7226
 Fax No.: (617) 248-7100

Respectfully submitted,


 Daniel A. Wilson
 Attorney for the Applicant
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110



PATENT
Attorney Docket No. AXO-003C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Muir CONFIRMATION NO.: 4996
SERIAL NO: 10/812,776 GROUP NO.: 3731
FILING DATE: March 29, 2004 EXAMINER: Not Yet Assigned
TITLE: Materials and Methods for Nerve Grafting, Selection of Nerve Grafts,
and In Vitro Nerve Tissue Culture

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicant hereby makes of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Specifically, Applicant provides a copy of the International Search Report for International Patent Application No. PCT/US2002/025922 (Reference C2). In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), only copies of the foreign patent documents and non-patent publications are enclosed.

In addition, Applicant wishes to inform the Examiner about the following patent applications and the contents of their file wrappers, including all Office actions issued therein.

- 1) U.S.S.N. 10/218,864, entitled "Materials and Methods for Nerve Grafting, Selection of Nerve Grafts, and In Vitro Nerve Tissue Culture," filed on August 13, 2002, and published as 2003/0040112, on February 27, 2003 (Reference A1).
- 2) U.S.S.N. 10/218,316, entitled "Materials and Methods for Nerve Repair," filed on August 13, 2002, and published as 2003/0072749, on April 17, 2003 (Reference A2).
- 3) U.S.S.N. 10/218,315, entitled "Materials and Methods for Nerve Grafting," filed on August 13, 2002, and published as 2003/0077258, on April 24, 2003 (Reference A3).

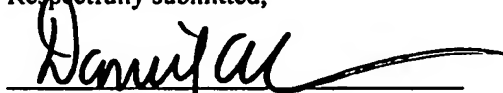
REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

Respectfully submitted,



Daniel A. Wilson
Attorney for the Applicant
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: July 30, 2004
Reg. No. 45,508

Tel. No.: (617) 248-7226
Fax No.: (617) 248-7100



FORM PTO - 1449				ATTORNEY DOCKET NO.: AXO-003C1					
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT				APPLICANT: Muir					
				SERIAL NO.: 10/812,776					
				FILING DATE: March 29, 2004					
				GROUP ART UNIT: 3731					
				CONFIRMATION NO.: 4996					
U.S. PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	A1	2003/0040112	02/27/03	Muir			8/13/02		
	A2	2003/0072749	04/17/03	Muir			8/13/02		
	A3	2003/0077258	04/24/03	Muir			8/13/02		
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	WO2003/015612 A3	02/27/03	PCT			08/13/02	N	Y
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C1	Schmalfeldt et al., "Brain Derived Versican V2 is a Potent Inhibitor of Axonal Growth," <i>Journal of Cell Science</i> 113: 807-816 (2000).							
	C2	International Search Report for Patent Application Serial No. PCT/US02/25922, mailed on June 17, 2003.							
EXAMINER					DATE CONSIDERED				

3100787